

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

FINJAN, INC.,
Plaintiff,

v.

SONICWALL, INC.,
Defendant.

Case No. 17-cv-04467-BLF (VKD)

**INTERIM ORDER RE APRIL 17, 2020
JOINT DISCOVERY LETTER BRIEF**

Re: Dkt. No. 248

On April 28, 2020, the Court held a hearing on the parties' discovery dispute concerning plaintiff Finjan, Inc.'s assertion of the attorney-client privilege and attorney work product protection over certain documents produced in another Finjan action¹ against Cisco Systems, Inc. ("Cisco"). Dkt. No. 248. For the reasons discussed at the hearing, Finjan shall submit all disputed documents listed on Finjan's privilege log (excluding listed deposition testimony that merely discusses the contents of a listed document) for in camera review by **May 4, 2020**. The disputed documents shall be submitted in electronic form to VKDcrd@cand.uscourts.gov. The submitted documents should include highlighting to indicate which portions have been redacted on privileged or work product grounds.

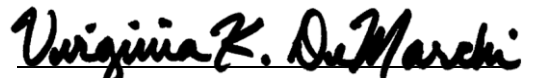
To assist the Court in determining whether Finjan waived work product protection, the parties shall submit the evidence on which they rely for their respective contentions that at the time the disputed documents were disclosed to Cisco's board observer, Yoav Samet, Cisco and Mr. Samet did or did not have an obligation to maintain the disputed documents in confidence,

¹ *Finjan, Inc. v. Cisco Systems, Inc.*, No. 5:17-cv00072-BLF-SVK (N.D. Cal.).

1 and/or that the disputed documents were or were not disclosed to Mr. Samet in a manner that
2 would enable an adversary to gain access to the information. The parties shall make these
3 submissions by filing supplemental attorney declaration(s) identifying and attaching the evidence,
4 without further argument. The Court requests that the parties submit their declarations with
5 attached evidence by **May 4, 2020**.

6 **IT IS SO ORDERED.**

7 Dated: April 28, 2020

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10 VIRGINIA K. DEMARCHI
11 United States Magistrate Judge
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United States District Court
Northern District of California